

**PB# 86-86**

**Midway Market  
(Addition)**

**40-2-13**

00-86 Inaway market (addition)

# Oxford<sup>®</sup>

ESSELTE

MADE IN U.S.A.

NO. 753 1/3

## General Receipt

8794

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, N. Y. 12550

Received of Midway Deli, Inc. April 1 1987 \$ 140.<sup>00</sup>/<sub>100</sub>

One Hundred forty and <sup>00</sup>/<sub>100</sub> DOLLARS  
For Site Plan Fee <sup>(40.00)</sup> 86-86 Eng. Fee (40.00)

FUND	CODE	AMOUNT
<u>Check 1141</u>		<u>140.00</u>

By Pauline G. Townsend  
Town Clerk  
Title

Williamson Law Book Co., Rochester, N. Y. 14609

## General Receipt

8422

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, N. Y. 12550

Received of Midway Deli Nov. 19 1986 \$ 25.<sup>00</sup>/<sub>100</sub>

Twenty Five and <sup>00</sup>/<sub>100</sub> DOLLARS  
For Site Plan - 86-86

FUND	CODE	AMOUNT
<u>Check # 1049</u>		<u>25.00</u>

By Pauline G. Townsend  
Town Clerk  
Title

Williamson Law Book Co., Rochester, N. Y. 14609

given to

- ✓ P. B Eng.
- ✓ Bldg Insp
- ✓ Water
- ✓ Sanitary
- ✓ Fire Bureau

Date 21 March....., 1987...

# TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12550

TO McGoey and Hauser Consulting Engineers, P.C DR.

45 Quassaick Avenue, New Windsor, NY 12550

DATE	PROFESSIONAL SERVICES	CLAIMED	ALLOWED
	Planning Board		
	Midway Market Site Plan (86-86)		
	9, 23 March 1987;		40 00
	AMOUNT DUE		\$40 00

TOWN OF NEW WINDSOR  
 PLANNING BOARD FEES  
 JANUARY 1, 1987

Checks payable to:  
 TOWN OF NEW WINDSOR

Date to:  
 TOWN CLERK

\$ 25.00 APPLICATION FEE

25.00

11-19-86

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SITE PLAN

\$100.00 (\*) SITE PLAN FEE  
 OR AMENDED SITE PLAN

\$ 100.00

4-1-87

Varies ENGINEERING FEE

\* All uses (except multi-family dwellings, including apartment houses and condominiums). Apartment houses and condominiums: \$100.00 plus \$10.00 for each unit.

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SUBDIVISION

\$100.00 PRE-PRELIMINARY

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\$100.00 PRELIMINARY

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\$100.00 FINAL PLAT (MINOR SUB.)

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\$100.00 + \$5.00 per unit (FINAL  
 PLAT MAJOR SUBDIVISION).

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\$150.00 FINAL PLAT SEC. FEE

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Varies ENGINEERING FEE

40.00

4-1-87

Separate check, payable to:  
 TOWN OF NEW WINDSOR

Date to:  
 COMPTROLLER

\$250.00 per unit (\*\*) RECREATION FEE

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\*\* The unit or lot which contains the premises in which the applicant resides shall be excluded from paying the recreation fee.

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LOT LINE CHANGE

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SPECIAL PERMIT

PLANNING BOARD  
TOWN OF NEW WINDSOR  
555 UNION AVENUE  
NEW WINDSOR, NY 12550

97

This is a two-sided form) 86-86  
Date Received 11/19/86  
Preapplication Approval \_\_\_\_\_  
Preliminary Approval \_\_\_\_\_  
Final Approval 3-25-87  
Fees Paid 25<sup>00</sup>

APPLICATION FOR SUBDIVISION APPROVAL

Date: 11/3/86

1. Name of subdivision Addition to Midway Deli Inc

2. Name of applicant Midway Deli Inc Phone 914-561-8533

Address 264 QUASSAICK AVE. NEW WINDSOR N.Y. 12550  
(Street No. & Name) (Post Office) (State) (Zip Code)

3. Owner of record Midway Deli Inc Phone 914-561-8533

Address 264 QUASSAICK AVE NEW WINDSOR NY 12550  
(Street No. & Name) (Post Office) (State) (Zip Code)

4. Land Surveyor Richard DeKay L.S. Phone 534-8127

Address 66 Willow Cove Cornwall N.Y. 12518  
(Street No. & Name) (Post Office) (State) (Zip Code)

5. Attorney Jerald Hiedelholz Phone 562-4630

Address 270 Quassaick Ave New Windsor Ny 12550  
(Street No. & Name) (Post Office) (State) (Zip Code)

6. Subdivision location: On the West side of Quassaick Ave  
(Street)

1100 feet South of Erve Ave  
(direction)

7. Total Acreage 17499.7859 ft zone N.C. Number of Lots one

8. Tax map designation: Section 40 ~~lots~~ Block 2, Lot 13

9. Has this property, or any portion of the property, previously been subdivided NO.

If yes, when \_\_\_\_\_; by whom \_\_\_\_\_.

10. Has the Zoning Board of Appeals granted any variance concerning this property NO.

If yes, list case No. and Name \_\_\_\_\_

List all contiguous holdings in the same ownership.

Section \_\_\_\_\_ Block(s) \_\_\_\_\_ Lot(s) \_\_\_\_\_

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed. IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

STATE OF NEW YORK )  
COUNTY OF ORANGE : SS.:

I, John J Hayes, hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

*John J Hayes*  
Mailing Address 264 Quornick Ave  
New Windsor Ny 12550

SWORN to before me this 3rd  
day of November, 1986  
*Alice E. Weightman*  
NOTARY PUBLIC

**ALICE E. WEIGHTMAN**  
Notary Public, State of New York  
Qualified in Orange County  
No. 4630245  
Commission Expires May 31, 1988

SHORT ENVIRONMENTAL ASSESSMENT FORM

INSTRUCTIONS:

(a) In order to answer the questions in this short EAF it is assumed that the preparer will use currently available information concerning the project and the likely impacts of the action. It is not expected that additional studies, research or other investigations will be undertaken.

(b) If any question has been answered Yes the project may be significant and a completed Environmental Assessment Form is necessary.

(c) If all questions have been answered No it is likely that this project is not significant.

(d) Environmental Assessment

- 1. Will project result in a large physical change to the project site or physically alter more than 10 acres of land? Yes No
2. Will there be a major change to any unique or unusual land form found on the site? Yes No
3. Will project alter or have a large effect on an existing body of water? Yes No
4. Will project have a potentially large impact on groundwater quality? Yes No
5. Will project significantly effect drainage flow on adjacent sites? Yes No
6. Will project affect any threatened or endangered plant or animal species? Yes No
7. Will project result in a major adverse effect on air quality? Yes No
8. Will project have a major effect on visual character of the community or scenic views or vistas known to be important to the community? Yes No
9. Will project adversely impact any site or structure of historic, pre-historic, or paleontological importance or any site designated as a critical environmental area by a local agency? Yes No
10. Will project have a major effect on existing or future recreational opportunities? Yes No
11. Will project result in major traffic problems or cause a major effect to existing transportation systems? Yes No
12. Will project regularly cause objectionable odors, noise, glare, vibration, or electrical disturbance as a result of the project's operation? Yes No
13. Will project have any impact on public health or safety? Yes No
14. Will project affect the existing community by directly causing a growth in permanent population of more than 5 percent over a one-year period or have a major negative effect on the character of the community or neighborhood? Yes No
15. Is there public controversy concerning the project? Yes No

PREPARER'S SIGNATURE:

Jay S. Klein
Midway Deli Inc

TITLE:

Architect

REPRESENTING:

DATE:

Nov. 3, 1986

Mr. Rider: Five years and as option for renewal.

Mr. Scheible: How many poeple do you visualize will occupy that at any one time?

Mr. Rider: I'd estimate 15 people maximum on a permanent staffing basis and clients on a visitation basis which would be 8 or 10 at a time.

Mr. DeStefano: Depending on what we are doing it could be up to 50 but it changes. The building would more than adequately accomodate us.

Mr. Mc Carville: I have no problem with it.

Mr. Jones: Everything seems to be OK as far as the engineer's comments. "That the Planning Board of the Town of New Windsor approve the site plan of Occupations Inc." Seconded by Mr. Van Leeuwen and approved by the Board.

ROLL CALL:	MR. SCHIEFER	AYE
	MR. JONES	AYE
	MR. MC CARVILLE	AYE
	MR. VAN LEEUWEN	AYE
	MR. LANDER	AYE
	MR. SCHEIBLE	AYE

MIDWAY DELI SITE PLAN (86-86)

3-25-87

Mr. Klein came before the Board representing this proposal.

Mr. Schiefer read the list of comments from the Town Engineer.

Mr. McCarville: "That the Planning Board of the Town of New Windsor approve the site plan of Midway Deli." Seconded by Mr. Van Leeuwen and approved by the Board.

Mr. Klein: On the sign, Mr. Hayes can go to the contractor and doublecheck with Mr. Babcock. Small sign additional parking on the side.

Mr. McCarville: Do we have Fire Department approval?

Mr. Scheible: Yes.

ROLL CALL:	MR. MC CARVILLE	AYE
	MR. JONES	AYE
	MR. SCHEIBLE	AYE
	MR. VAN LEEUWEN	AYE
	MR. LANDER	AYE
	MR. SCHIEFER	AYE

WINDSHRE SITE PLAN (85-43)

Mr. Fullam came before the Board representing this proposal.



McGOEY and HAUSER  
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)  
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640  
PORT JERVIS (914) 856-5600

RICHARD D. MCGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
*Associate*

Licensed in New York,  
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

PROJECT NAME: Midway Market  
PROJECT LOCATION: North Side of Rte. 94  
NW #: 86-86  
25 March 1987

- 1). The Applicant has submitted a Site Plan for a proposed addition to the existing retail market and deli; the proposed addition is for 459 sq. ft. in floor area. The Plan has previously been reviewed at the 11 March 1987 Planning Board Meeting.
- 2). The Plan has been revised per the Engineer's comments and is acceptable from an Engineering standpoint.
- 3). The Board may wish to recommend that the Owner install a sign which indicates that additional parking is available in the rear of the building so as to make best use of same.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEfmD

Mr. Lander           Nay  
Mr. Leeuwen       Nay  
Mr. McCarville   Nay  
Mr. Schiefer       Nay

Mar 1987

Mr. Schiefer: We will write a letter to the Zoning Board referring this matter to them.

MIDWAY DELI SITE PLAN (86-86) KLEIN

Mr. Klein came before the Board representing this proposal.

Mr. Schiefer read the engineer's comments regarding this proposal.

Mr. Klein: I was using the old requirement for the parking spaces. The Mid Way Market, the owner Mr. Hayes is here tonight, and last summer there was an accident at the Mid Way when a car lost its brakes and went through the window. Mr. Babcock was helpful in helping him secure the premises quickly and allowing him to make the repairs so he can stay in operation. Mr. Hayes has brought pictures along showing what happened at that time and the subsequent improvements and the very attractive facade we have now. This is what we wanted to increase this, there was a very obvious open L shape here in the front and Mr. Hayes needed more sales area and we were hoping to do it at that time in conjunction with the repairs of the accident to build this section.

Mr. Van Leeuwen: You'd got to pick out what is storage and what is not.

Mr. Klein: Right, well the parking as most of you park it is all blacktop both in front and the adjoining owner Pennelli who has the video store there and the dry cleaners in that building and both owners are compatible with each other where everybody uses each others parking spaces, sometimes there are no cars, other times it is backed up and they are parking at the adjoining spots.

Mr. Van Leeuwen: If we were to approve you are going to have to give us parking in the back.

Mr. Klein: There is no way we can get the parking we need in the front.

Mr. McCarville: You have got 24 foot on the side here to bring you to the back to open up some parking there.

Mr. Klein: If that is the pleasure of the Board there is no other choice.

Mr. Van Leeuwen: If we approve we have to have X number of parking spaces for X number of feet. We cannot approve something that is in violation. Your only choice is to go get a variance with the Zoning Board of Appeals.

Mr. Klein: We'd rather not go for a variance because we have the land in the back of the place and it is all blacktopped. We have an elevation of what we proposed to do it will be a repeat of the existing facade, the brick and wood.

Mr. McCarville: If you knock off space 8 and 9 and go in the back put that additional spaces in the back to bring it up to the correct number of spaces you'd be all set here.

Mr. Klein: We will definitely go ahead and do that and show the additional spaces. We can show a couple more than the required.

Mr. Edsall: When you show us the blacktopped area define the isle width, parking spaces, we don't want people pulling out to 94 from any point they choose, it should be controlled and that will be fine.

Mr. Klein: There are no curbs it is all blacktopped to the road, that is the existing condition and we request it remain that way to facilitate in and out there.

Mr. Van Leeuwen: Here is a copy of the engineer's criteria.

Mr. Klein: I'd like to request that we be placed on the agenda at the next meeting if possible.

Mr. Schiefer: Fine, we will try.

Mr. Klein: With these corrections we'd come back next time for final approval. Thank you.

#### NEW WINDSOR MALL (SITE REVISION) -ROSENBLUM

Mr. Marshall Rosenblum came before the Board representing this proposal.

Mr. Schiefer read the engineer's comments regarding this proposal.

Mr. Van Leeuwen: We have two problems one is this is for office use there is a commercial zone he is going to have to go for a variance we can't approve this this way. The other thing even though the part of the existing building is on the property line he is going to have to get a variance for that too.

Mr. Rosenblum: If you look on the table this package has already gotten a variance for the rear yard set back and the general use of the property. This was a combined site commercial and R4 the former proposed warehouse being wholly in the R4 zone. The intended change here is not to vary the size of the approved structure at all in location or size only to change the use from a warehouse to a development similar to the new construction.

Mr. Van Leeuwen: You have retail offices?

Mr. Rosenblum: Some may be used as professional offices.

Mr. Van Leeuwen: The office is not allowed in this zone.

Mr. Rones: That is a C zone.

Mr. Van Leeuwen: I believe it is neighborhood commercial.

Mr. McCarville: This business was approved this way here?

Mr. Van Leeuwen: Leave the retail in and take the office part off.



**McGOEY and HAUSER  
CONSULTING ENGINEERS P.C.**

45 QUASSAICK AVE. (ROUTE 9W)  
NEW WINDSOR, NEW YORK 12550

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Associate

Licensed in New York,  
New Jersey and Pennsylvania

TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS

PROJECT NAME: Midway Market  
PROJECT LOCATION: North Side of Quassaick Avenue (Rte. 94)  
NW #: 86-86  
11 March 1987

- 1). The Applicant has submitted a Site Plan for a proposed addition to the existing retail market and deli; the proposed addition is 459 sq. ft. in floor area.
- 2). The indicated parking requirement of 1 space per 200 sq. ft. is incorrect; based on the bulk tables, 1 space should be provided for each 150 sq. ft. of floor area in sales use. As such, a total of twelve (12) spaces would be required making the nine (9) spaces provided insufficient.
- 3). The Applicant should indicate the portion of the building in sales use on the Plan.
- 4). The Applicant should make the Plan more complete such that the driveway entrances, pavement limits, any existing or proposed landscaping or other improvements are shown on the Plan.

Respectfully submitted,

  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEfmD

WATER, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval \_\_\_\_\_  
Subdivision \_\_\_\_\_ as submitted by

Jay S Klein for the building or subdivision of  
Walden Way Market + Deli has been  
reviewed by me and is approved  \_\_\_\_\_,  
~~disapproved~~ \_\_\_\_\_.

~~If disapproved, please list reason.~~

*will not interfere with water system*

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

*Steve Bidio*  
\_\_\_\_\_  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE





1763

# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK

BUREAU OF FIRE PREVENTION

SITE PLAN APPROVAL

MIDWAY MARKET ADDITION

The aforementioned site plan or map was reviewed by the Bureau of Fire Prevention at a meeting held on 9 December 19 86.

The site plan or map was approved by the Bureau of Fire Prevention.

The site plan or map was disapproved by the Bureau of Fire Prevention for the following reason(s).

Lined area for providing reasons for disapproval.

*R. F. [Signature]*

SIGNED: \_\_\_\_\_  
CHAIRMAN

WATER, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval ✓  
Subdivision \_\_\_\_\_ as submitted by  
Jay Klein for the building or subdivision of  
Mid-Way Market and Deli has been  
reviewed by me and is approved ✓,  
disapproved \_\_\_\_\_.

If disapproved, please list reason.

Building is connected to Sewer

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

\_\_\_\_\_  
WATER SUPERINTENDENT

Suman D. Marten  
SANITARY SUPERINTENDENT

November 20, 1986  
DATE

WATER, SEWER, HIGHWAY REVIEW FORM:

The maps and plans for the Site Approval \_\_\_\_\_  
Subdivision \_\_\_\_\_ as submitted by  
Jay Klien for the building or subdivision of  
Mid-Way Market has been  
reviewed by me and is approved   
~~disapproved~~.

~~If disapproved, please list reason.~~

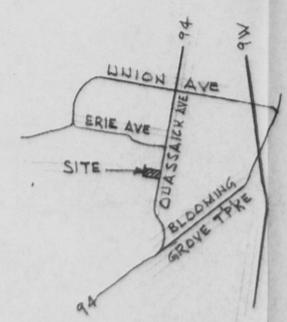
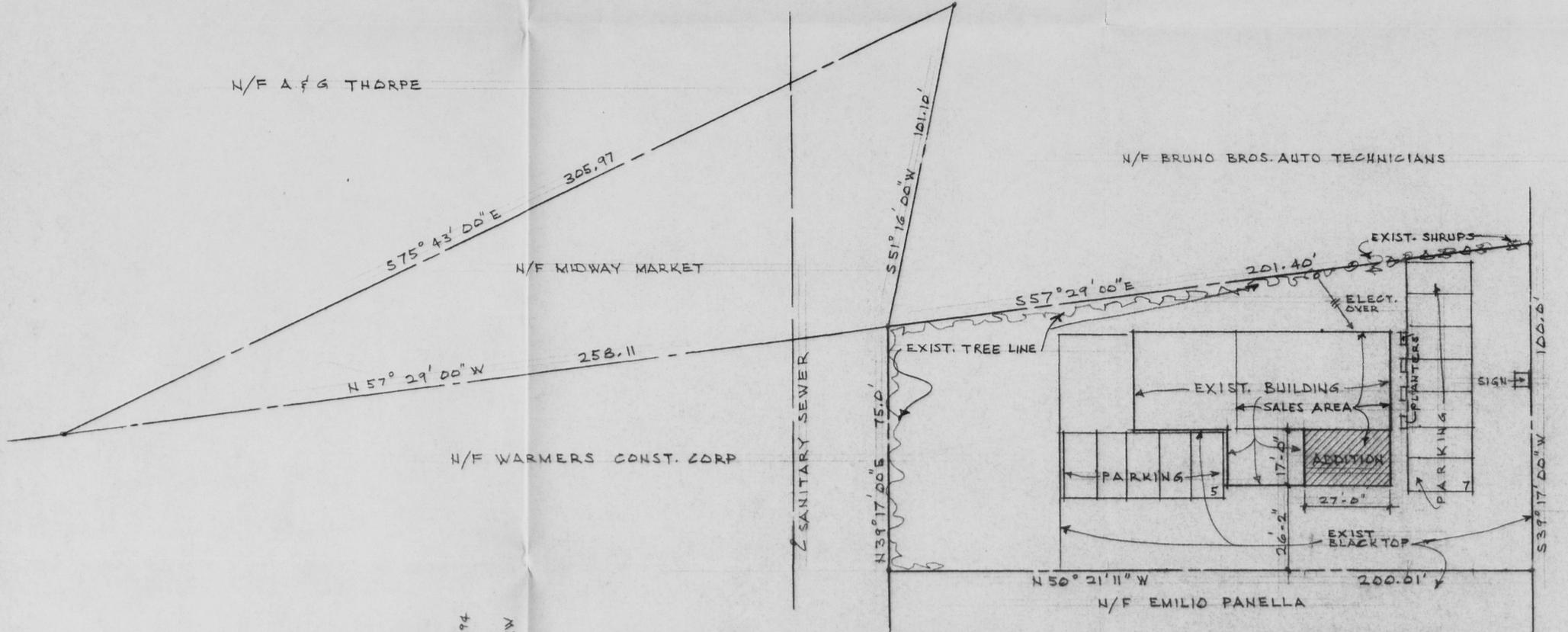
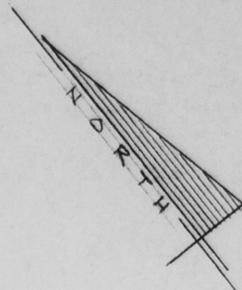
*Will not interfere with water system*

\_\_\_\_\_  
HIGHWAY SUPERINTENDENT

*Steve Diddio*  
\_\_\_\_\_  
WATER SUPERINTENDENT

\_\_\_\_\_  
SANITARY SUPERINTENDENT

\_\_\_\_\_  
DATE



LOCATION PLAN  
NOT TO SCALE

**SITE PLAN**  
 SCALE: 1" = 20'  
 SITE PLAN IS BASED ON A SURVEY BY  
 RICHARD DEKAY, L.L.S. # 36168, AUG. 13, 1979

TAX MAP  
SECTION 40 BLOCK 2 LOT 13

**N. C. ZONE**

ITEM	MIN	HAVE
SITE AREA	10,000 SF	17,419. S.F.
WIDTH	100'	100'
FRONT YD	40'	43'
SIDE YDS	15'/35'	22'/48'
REAR YD	15'	76'
HT.	2 STORIES-35'	14'
PARKING	1 PER 150 SF.	
SALES AREA	= 12	12

ADDITION APPROVAL GRANTED  
 BY TOWN OF NEW WINDSOR PLANNING BOARD  
 ON APR 23, 1987  
 BY *Lawrence Jones*  
 SECRETARY



ADDITION TO  
 MIDWAY MARKET & DELI  
 264 QUASSAICK AVE., NEW WINDSOR, N.Y.  
 JAY S. KLEIN - ARCHITECT  
 11 GARDEN DRIVE, NEW WINDSOR, N.Y.  
 NOV. 1986  
 REV. MAR. 12, '87  
 PROJ. No. 167-86  
 A-1